

DEPARTMENT OF MOTOR VEHICLES

Document 52

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LICENSING OPERATIONS DIVISION
DRIVER SAFETY HEADQUARTERS
P.O. BOX 187010, M/S J256
SACRAMENTO, CA 95818-7010
(916) 657-8527



FOR DMV USE ONLY

126 -

ADMINISTRATIVE PER SE NOTICE OF FAILURE TO FILE CRIMINAL CHARGES

(23140, 23152 and 23153 V.C.)
Vehicle Code Section 13353.2(e)(f)

DRIVER'S NAME <i>Abhinav Bhatnagar</i>		CALIFORNIA DRIVER LICENSE NO. <i>D3219816</i>	
ADDRESS <i>36927 Papaya St.</i>		OUT OF STATE DRIVER LICENSE NO.	STATE
CITY <i>Newark</i>	STATE <i>CA</i>	ZIP CODE <i>94560</i>	DATE OF BIRTH <i>04-30-76</i>
TELEPHONE NO. Daytime <i>(510) 449-4543</i>	Residence <i>(510) 790-9254</i>	ARREST DATE <i>05/20/06</i>	

DISTRICT ATTORNEY'S STATEMENT

Criminal charges related to the arrest of the above-named driver under Section 23140, 23152 or 23153 V.C. have **not been** filed by the District Attorney because of lack of evidence.

A driver has a renewed right to request a hearing on an Administrative Per Se (0.05% or 0.08% BAC) suspension by the department. Section 13353.2(f) V.C. requires a **detailed explanation** specifying which evidence was defective or lacking and why such evidence was considered defective or lacking. Attach a separate sheet, if necessary, and any relevant supporting documents. (This section **does not apply** if the driver refused to submit to or failed to complete a chemical test.)

CHECK THE APPROPRIATE BOX(ES) AND EXPLAIN FULLY BELOW:

- ☐ INSUFFICIENT PROBABLE CAUSE
☐ UNLAWFUL ARREST
☐ ACCURACY OF CHEMICAL TEST EQUIPMENT AND/OR COMPLIANCE WITH TESTING PROCEDURES
☒ OTHER

Probable cause for the stop was insufficient, the suppression motion was granted and as a result, the District Attorney's office dismissed all charges.

I declare under penalty of perjury under the laws of the State of California, that the above is true and correct.

DISTRICT ATTORNEY'S NAME <i>Douglas B. Foley</i>		DISTRICT ATTORNEY OFFICE <i>Central Costa Co.</i>	TELEPHONE NO. <i>(925) 646-2625</i>
ADDRESS <i>10 Douglas Dr. Suite 130</i>		STATE <i>CA</i>	ZIP CODE <i>94553</i>
CITY <i>Martinez</i>		DATE <i>1/5/07</i>	
DISTRICT ATTORNEY'S SIGNATURE <i>Douglas B. Foley</i>			

WHITE - DMV

YELLOW - DRIVER

PINK - DISTRICT ATTORNEY

A Public Service Agency